



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 54
Comm #: 53147-4255-99-A
BRRTS #: 03-65-544865
Site Name: Redeye Tavern (Former)
Site Address: W4099 County Rd BB, Lake Geneva, 53147
Site Manager: Brenda Boyce
Address: 141 NW Barstow St, Rm 180
City, State Zip: Waukesha, WI 53188-3789
Phone: 262-574-2140
e-mail: brenda.boyce@wisconsin.gov
Bid Manager: Shawn A. Wenzel
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-5401
e-mail: Shawn.Wenzel@Wisconsin.Gov

Bid-Start Date:	April 07, 2008
Questions must be received by (See Section 2 (B)):	April 21, 2008 4:00 PM
Responses will be posted by (See Section 2 (B)):	May 09, 2008
Bid-End Date and Time:	May 23, 2008 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize - Milwaukee, 757 N. Broadway, Ste. 200, Milwaukee, WI 53202

Phone: (414) 276-2679

Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The former Red-Eye Tavern operated as a tavern and gasoline station. The former tavern space is currently unoccupied and other portions of the building are used as apartments. A 550-gallon UST system was removed from the property in November 2005 and the closure assessment revealed impacts to soil and groundwater. The subsequent site investigation, consisting of direct push borings and temporary wells, identified high concentrations of petroleum contamination at the source area, which is located in a narrow strip between the building and county road BB. The soil consists of silty sand with some gravel, and groundwater is encountered between 5 to 8 feet below grade. Groundwater flow has fluctuated from southwest to southeast. The building is slab on grade with a garage located within a basement structure. There are two sumps located in the basement garage. The property is supplied with water via a private well. The private well is located within 5 feet of an NR 140 Enforcement Standard exceedance in groundwater; therefore, DNR has regulatory authority over the site.

Minimum Remedial Requirements

Conduct a source control action in the area of the former UST system to reduce the contaminant mass and minimize the risk to receptors (private well and residents of building). Any bid that solely proposes to use natural attenuation as the source control action will not be considered compliant with the minimum requirements of this bid. The source control action shall extend from the northeast corner of the building (near the location of the former UST) 50 feet to the west, southwest (encompassing the dispenser island). The area of the action shall extend between the building and the roadway right-of-way for the entire length. The depth of the action should extend to 10 feet below grade, which will potentially extend below the water table. The location of the remedial action/excavation may impede access for one or more residents of the building due to the entrance locations being in the affected area (See the photographs for reference). The remedial action must be coordinated with the property owner to provide adequate notification to tenants of building that access may be restricted during that time.

If soil excavation is chosen as the source control action, the minimum extent of the excavation shall be 50'X 5'X10' from the former UST area to the west and 14'X 3'X 10' from the former dispenser area south towards the building up to the staircase. Bidders shall include the specific number of yards *and* tons proposed to be excavated and disposed of in their response, and the cost per ton for soil excavated and disposed, assuming a minimum volume of 150 tons (Any bid responses proposing lesser volumes will not be considered compliant with the minimum requirements of this bid). During excavation activities, clean soil should be separated from contaminated soil using PID analysis, with the most highly contaminated soil being properly disposed of accordance with NR 718, Wis. Adm. Code, and clean soil used for backfill. The actual horizontal extent of the excavation can be adjusted while completing the excavation to remove the most heavily contaminated soil. The excavated soil and any contaminated groundwater removed during de-watering activities shall be properly treated and/or disposed of in accordance with NR 718, Wis. Adm. Code. Five post-remedial soil samples shall be collected from the vadose zone at the source area to document remaining

soil concentrations. Soil samples shall be submitted for laboratory analysis of petroleum volatile organic compounds (PVOCs) plus naphthalene and lead.

Reimbursement for soil excavation and disposal will be on a per ton basis. The PECFA reimbursement cap will be set at the cost per ton multiplied by the number of tons proposed to be excavated plus the cost of the additional activities required to complete the scope of work from the selected compliant bid response.

Proposed source control actions/remedial technologies other than soil excavation will be accepted, however, adequate documentation regarding effectiveness is required, and the action must be approved by the DNR for use within Wisconsin.

A remedial action plan and all required permits and applications must be approved by the DNR prior to implementation, if in-situ treatment is proposed. Details regarding the approach must be included in your bid response. Due to the soil type and proximity of the source area to structures (building and roadway), provisions must be made to ensure that nearby structures are not damaged or compromised as a result of the remedial action. Any resulting damage will not be the responsibility of the PECFA Program, Department of Commerce or DNR. The method of maintaining stability of the soil, building and highway should be included in your response. Permits may also be needed to close part of the roadway during the remedial action to allow sufficient space to safely conduct the remedial action.

Following the soil remedial phase of work, temporary wells W-2, W-3, W-4, W-5 and W-7 are to be abandoned and replaced with NR 141 compliant monitor wells within two (2) feet of the current well location. Well abandonment forms shall be completed for each temporary well abandoned. Soil boring logs, well construction reports, and well development forms shall be completed and submitted for each of the replacement wells installed. Temporary wells W-1 and W-6 should be maintained, but are not required to be sampled at this time. No soil sampling is required, so wells may be blind drilled and constructed based on existing depth to groundwater data. All new wells must be surveyed and tied in with the existing temp wells. Groundwater elevation data must be collected from the 2" monitoring wells prior to each monitoring event. After installation of the replacement wells, conduct two quarterly rounds of groundwater monitoring from entire monitoring well network (excluding wells W-1 and W-6) and analyze for PVOC + naphthalene. During one monitoring event, collect a water sample from the private well onsite and analyze for VOCs. Collect RNA geochemical parameters at one event from entire network and evaluate data to determine if RNA will be an appropriate final remedy. RNA parameters shall include DO, ORP, pH, nitrate and sulfate. Collect one water sample from each of the two basement sumps and analyze for VOCs. All investigative waste shall be properly disposed and waste disposal documentation shall be provided for all waste generated during this scope of work.

After completion of the activities outlined above, prepare and submit a comprehensive report to the WDNR and Commerce, documenting the work completed and include recommendations for what, if any, additional work will be required to meet regulatory closure criteria.

At a minimum, the following maps/figures and data shall be provided:

- Extent of excavation, including sampling points

- Tabulated lab data
- Groundwater flow maps for each sampling event
- Extent of groundwater contamination exceeding ES
- Cross-section through excavation
- Extent of residual soil contamination exceeding RCL standards

To save costs, only portions of the file reports are at the copy shop. The entire file should be reviewed at the WDNR Waukesha office.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Redeye Tavern (Former)

COMMERCE #: 53147-4255-99

BRRTS #: 03-65-544865

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE**(2nd Page)**

Department of Commerce PECFA Program

SITE NAME: Redeye Tavern (Former)**COMMERCE #: 53147-4255-99****BRRTS #: 03-65-544865****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

Activity Description			Cost Per Well/Sample/Ton Per Event (\$)	Total Cost Per Activity (\$)
1.	A) Remedial excavation – or –	Consultant Costs	\$	\$
		Commodity Costs	\$	
	B) Remedial alternative (other than excavation)		\$	
2.	Post-remedial soil sampling (Five (5) samples) Laboratory analysis for PVOC + Naphthalene + Pb (Includes collection and analysis)		\$	\$
3.	Abandon temporary monitoring wells W-2, W-3, W-4, W-5, and W-7 (includes preparation and submittal of applicable forms)		\$	\$
4.	Install five (5) NR 141 monitoring [replacement] wells (includes preparation and submittal of applicable forms)		\$	\$
5.	Survey elevation and location of new wells. Tie into existing well network survey elevations		\$	\$
6.	Well development of new wells		\$	\$
7.	Groundwater sampling with lab analysis for PVOC + Naphthalene (Includes collection and analysis)		\$	\$
8.	Groundwater sampling with lab analysis for PVOC + Naphthalene + RNA (DO, ORP, pH, nitrate, and sulfate - Includes collection and analysis)		\$	\$
9.	Water level measurements		\$	\$
10.	Groundwater sampling from each of two (2) sumps in basement – VOC analysis (Includes collection and analysis)		\$	\$
11.	Groundwater sample from potable well – VOC analysis (Includes collection and analysis)		\$	\$
12.	Waste disposal for all wastes generated on-site			\$
13.	Final report preparation and submittal			\$
14.	Soil/structure stability control efforts, and other efforts needed to perform excavation if necessary			\$
15.	Other (list)			\$
16.	PECFA Claim Preparation			\$
17.	Total Bid Amount			\$

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME: Redeye Tavern (Former)

COMMERCE #: 53147-4255-99

BRRTS #: 03-65-544865

Consulting Firm Name: _____

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.